

AMENDMENTS TO THE SPECIFICATION

Please add the following new paragraph between headings “SPECIFICATION” and “INTRODUCTION” on page 1 of the specification:

The present application is a continuation-in-part of U.S. Serial No. 09/728,265 filed December 1, 2000, now U.S. Patent No. 6,593,086, issued on July 15, 2003, which is a continuation-in-part of U.S. Serial No. 09/299,217 filed April 23, 1999, now U.S. Patent No. 6,569,647, issued on May 27, 2003, which is a continuation of U.S. Serial No. 08/690,494 filed July 31, 1996, now U.S. Patent No. 5,942,391, issued on August 24, 1999, which is a continuation-in-part of U.S. Application Serial No. 08/596,331, now abandoned, which is the United States national stage application corresponding to PCT International Application PCT/US95/07671 filed June 14, 1995, which application is a continuation-in-part of U.S. Serial No. 08/263,937 filed June 22, 1994, now abandoned. Priority is claimed to all of the applications listed above.

**REMARKS**

The '261 Application was filed on October 15, 2001. This Petition is not submitted within the required time period of the later of four months from the actual filing date of the later-filed application or sixteen months from the filing date of the prior-filed application as set forth in 37 CFR § 1.78(a)(2) and MPEP § 201.11 subsection V. Accordingly, pursuant to 37 CFR § 1.78(a)(3) and MPEP § 201.11 subsection V, Applicants hereby submit:

- (i) the reference required by 35 U.S.C. § 120 and 37 CFR § 1.78(a)(2) to the prior application;
- (ii) a surcharge under 37 CFR § 1.17(t); and
- (iii) a statement that the entire delay between the date the claim was due under 37 CFR § 1.78(a)(2) and the date the claim was filed was unintentional.

**Reference Requirement Pursuant to 37 CFR § 1.78(a)(3)(i)**

The reference required by 35 U.S.C. § 120 and 37 CFR § 1.78(a)(2) to the prior application must contain a reference to each prior-filed application, identifying it by application number (consisting of the series code and series number) or international application number and international filing date and indicating the relationship of the applications. 37 CFR § 1.78(a)(2)(i). In support of this Petition, Applicants hereby submit the required reference to the prior applications as required by 37 CFR § 1.78(a)(2) as an Amendment to the Specification on page 2 of this paper, as required by 37 CFR § 1.78(a)(3)(i).

**Surcharge Under 37 CFR § 1.17(t), Pursuant to 37 CFR § 1.78(a)(3)(iii)**

As required by 37 CFR § 1.78(a)(3)(iii), Applicants hereby authorize the Director to charge the \$1,370.00 surcharge under 37 CFR § 1.17(t) in connection with the filing of this

Petition for an Unintentionally Delayed Claim  
Under 37 CFR § 1.78(a)(3)

Petition to Deposit Account No. 19-4709. No other fee is believed necessary in connection with the filing of this Petition. However, if any other fee is due the amount of any fee may be charged to Deposit Account No. 19-4709.

**Unintentional Delay Statement Pursuant to 37 CFR § 1.78(a)(3)(iii)**

The United States Patent and Trademark Office issued an Office Action on July 28, 2006 in connection with the '261 Application. The July 28, 2006 Office Action alleged that certain claims of the '261 Application were unpatentable over Zhang, et al. (U.S. Patent No. 5,942,391) (the "Zhang Patent"). A true copy of the July 28, 2006 Office Action is annexed as Wilson Dec. Ex. A. On January 19, 2007, in preparing a response to the July 28, 2006 Office Action, Applicants' Representative attempted to in an attempt to understand how the Zhang Patent, to which Applicants' Representative believed the '261 Application claimed priority benefit, could be cited against the '261 Application, Applicants' Representative reviewed the entire file history of the '261 Application. Wilson Dec. ¶¶ 4-5. During the file history review it was discovered that when the '261 Application was originally filed on October 15, 2001, the claim for priority was inadvertently omitted. Wilson Dec. ¶ 6.

Until the file history review Applicants' Representative was unaware that the claim for priority had not been included in the '261 Application. Wilson Dec. ¶ 7. Indeed, unaware of the priority claim oversight, another Applicants' Representative filed a Supplemental Declaration and Power of Attorney on November 6, 2002 which claimed priority to the prior-filed applications listed on the Amendment to the Specification on page 2 of this paper. A true copy of the Supplemental Declaration and Power of Attorney is annexed as Wilson Dec. Ex. B. Wilson Dec. ¶ 8. Once the oversight was discovered on January 19, 2007 Applicants'

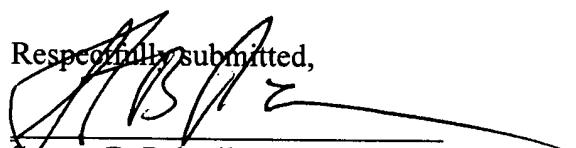
Petition for an Unintentionally Delayed Claim  
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Representative promptly prepared this Petition to correct the priority claim for the '261 Application. Wilson Dec. ¶ 9.

Accordingly, as required by 37 § CFR 1.78(a)(3)(iii), the entire delay between the date the claim was due under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional. It appears to have been an oversight which Applicants respectfully request be corrected by the filing of this Petition.

**CONCLUSION**

If any issue is raised which would prevent or delay the granting of this Petition, the Director is respectfully requested to telephone the undersigned in an effort to resolve any outstanding issues. No fee, other than the of \$1,370.00 surcharge under 37 CFR 1.17(t), is deemed necessary in connection with the filing of this Petition. However, if any other fee is due the amount of any fee may be charged to Deposit Account No. 19-4709.

Respectfully submitted,  
  
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